

**MINUTES of the PLANNING COMMITTEE MEETING of  
BURLEY PARISH COUNCIL**

held on Monday 7<sup>th</sup> December 2009  
at Queen's Hall, Burley in Wharfedale

**Present:** Councillors P Jenkins (Chairman), K Forrest, J Horton, C Jones, P Riley & S Tilford  
Clerk: Mrs J Griffiths

**P145/0910 Chairman's Remarks**

Cllr Jenkins opened the meeting and thanked everyone for attending. Following the last meeting Cllr Jenkins had made further enquiries regarding the TPO (Tree Preservation Order) covering a large area in the village and including Burley House Field. Cllr Jenkins had been advised that the TPO was still in effect and that the mature trees on Burley House Field are protected. Cllr Jenkins would seek further clarification on the newer trees.

**P146/0910 Apologies**

Cllr Dale and Cllr Walker had sent apologies, these were received and accepted

**P147/0910 Declarations of Interest**

None.

**P148/0910 Public Participation**

Proposed by Cllr Jones  
Seconded by Cllr Forrest  
to defer public participation until a later point in the meeting.

**P149/0910 Minutes of the Last Meeting**

The minutes of the meeting of 16<sup>th</sup> November 2009. It was proposed by Cllr Jones and seconded by Cllr Forrest that the minutes were a true and accurate record and accepted accordingly.

**P150/0910 Planning applications:  
09/05367/HOU – 30 Main Street**

*Construction of a garage*

*Cllr Jenkins halted the meeting at this point to allow public participation*

A neighbour to the proposed development spoke of his concerns:

Query over the type of application that has been submitted (Householder application). This is an area of listed buildings and part of conservation area. It was his understanding that the application should be for Listed Building Consent as this included developments within the curtilage of a listed building. The application would then be judged on additional criteria and any application would need to show that it was preserving or enhancing the conservation area.

The prior history of this site including two appeals to the Secretary of State suggests that there should be no development on this site as it is in an elevated position and any development regardless of height would be detrimental. At the last planning appeal the inspector noted that the open rear gardens to be an important feature deserving protection, even a single storey building would be intrusive from the view from the roundabout. This is a sensitive area of the village and not suitable for any building.

The applicant spoke in support of his application and advised that after the two previous unsuccessful applications he had taken advice on the application from a senior Planning

Officer at Bradford Council. The proposed development included areas that would be dug out to keep the garages at low level.

The applicant's architect had initially applied for a Certificate of Lawful Permission but had been advised by Bradford Council to submit a Householder application. He had not been advised that Listed Building Consent was required.

The applicant stated that the last application had been rejected on the mass of the proposed building the new application was for a smaller development.

*Meeting re-started at this point*

The committee received a copy of comments from another local resident objecting to the proposed development and noted the concerns expressed over the type of application submitted.

**Resolved: to defer decision on this application until after clarification under which application form this should be submitted.**

**09/05373/FUL – 14a The Copse**

*Construction of two storey dwelling house with integral single garage with access off Prospect Road*

*Cllr Jenkins halted the meeting at this point:*

A neighbour was in attendance to offer an objection to the application. The application was almost identical to the previous (later withdrawn) application and all the reasons for objecting remained valid.

*Meeting re-started at this point*

Various objections had been received and the committee reminded themselves of the reasons for the earlier application's refusal

**Resolved: to recommend refusal on the grounds that**

- **Access to the proposed development would be unsuitable from Prospect Road due to the traffic and highways implications of cars entering and exiting the site on a busy and crowded route. The committee noted that entrance to Prospect Road was rejected from The Copse when the properties were built 13 years ago and that in the intervening years congestion and traffic flow had only increased;**
- **Development on the site would lead to felling of trees covered by Tree Preservation Orders and that the trees provide group value in this area and as stated at the time of the construction of The Copse;**
- **The topography of the site in relation to the surrounding properties would provide a unacceptable reduction in the usability of the private amenity space of adjoining properties;**
- **The proposed development would be detrimental to the street scene.**

**09/05481/FUL – The Grange, Station Road**

*Removal of porch and change of use of first and attic floors to residential*

**Resolved: recommend approval**

**09/05480/LBC - The Grange, Station Road**

*Removal of porch and change of use of first and attic floors to residential*

**Resolved: recommend approval**

**09/05037/HOU – The Glen, Myrtle Lane, Burley Woodhead**

*Demolition of existing semi-detached dwelling, construction of two storey extension to remaining semi-detached dwelling and external works to form swimming pool and extended garden area*

**Resolved:** recommend refusal on the grounds that the swimming pool is an inappropriate development in the green belt under Green Belt Policies PPG2 PPG2 3.8d, 3.15 and C4, and RUDP policies GB4, GB5 and GB6. The committee also considered that the roof line section of extension adjacent to The Glen should not differ from that of The Glen, and that the large amount of glass at the western section of the proposed building is out of keeping in that area and amongst the groupage of houses.

**09/04585/FUL – Carr Bottom Filter Station, Green Lane**

*Alternative proposals to approval 09/01974/FUL for extensions and alterations to facilitate conversion of former filter station to dwelling and construction of garage*

**Application withdrawn**

**P151/0910 To note decisions by BMDC planning**

09/04107/HOU – 4 Jumb Beck Close – Approved

09/03023/FUL – High Meadows Farm, Green Lane – Approved

**P152/0910 Enforcement Issues**

The committee noted that there are current enforcement investigations at 5 Long Meadows and into the alleged unauthorised signs at the Generous Pioneer.

**P153/0910 Appeal to the Secretary of State**

The committee noted that application 09/00187/APP/APP/APP (APP/W4705/D.092116884) at 16 Menston Old Lane for study and access involving extension of the roof had gone to the Secretary of State. It was understood that the Planning Inspectorate is visiting this week. No further submissions were permitted with this type of appeal and the committee could make no additional comments beyond its original objection.

**P154/0910 Certificates of Lawfulness**

14 Greenholme Cottages is pending a decision on a CLP.

**P155/0910 Waste Development Plan**

The consultation document would be circulated amongst the committee. Councillors were asked to provide comments for the meeting on 11<sup>th</sup> January 2010.

**P156/0910 Clerk's Report**

The clerk reported that she made enquiries regarding the results of the enforcement investigation into the alleged unauthorised signs at Palok on Main Street but had yet to receive a reply.

The clerk had been contacted by a local resident about a footpath close to the railway line and Menston Old Lane where a railway sleeper had been washed away making it difficult to cross the beck. The Rights of Way Officer at Bradford Council has confirmed that work to construct a replacement bridge would shortly commence.

As a result of the last meeting the clerk has amended all decision letters to include the Parish Council's wish for planning officers to refer applications to appeal when their recommendation differs from the planning officers.

**P157/0910 Minor Items for action by the clerk between meetings and items for the next agenda**

Cllr Horton noted that the front wall at 15 Norwood Terrace had been knocked down and it was confirmed that this was not included in the recent application. The committee agreed to monitor what replacement was built.

**P158/0910 Date of next Planning Committee meetings:** Monday 21<sup>st</sup> December 2009  
Monday 11<sup>th</sup> January 2010